

STAFF REPORT  
February 18, 2010

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**No. 09SV015 - Variance to the Subdivision Regulations to reduce the pavement width from 12 feet to 11 feet per lane as per Chapter 16.16 of the Rapid City Municipal Code**

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**ITEM 4**

GENERAL INFORMATION:

APPLICANT	Lazy P-6 Land Co., Inc.
AGENT	Lawrence M. Kostaneski for Centerline, Inc.
PROPERTY OWNER	Orvil Davis
REQUEST	<b>No. 09SV015 - Variance to the Subdivision Regulations to reduce the pavement width from 12 feet to 11 feet per lane as per Chapter 16.16 of the Rapid City Municipal Code</b>
EXISTING LEGAL DESCRIPTION	A parcel of land located in the W1/2 SW1/4 of Section 19, T1N, R8E and E1/2 SE1/4 of Section 24, T1N, R7E all located in BHM, Pennington County, South Dakota
PROPOSED LEGAL DESCRIPTION	Lot 1 in Block 1 and Lots 1 thru 4 in Block 2, located in the W1/2 SW1/4 of Section 19, T1N, R8E and E1/2 SE1/4 of Section 24, T1N, R7E all located in BHM, Pennington County, South Dakota
PARCEL ACREAGE	Approximately 5.0 acres
LOCATION	At the southeast corner of the intersection of Fifth Street and Catron Boulevard
EXISTING ZONING	General Commercial District - Light Industrial District (Pennington County)
SURROUNDING ZONING	
North:	General Commercial District (Planned Development Designation)
South:	Light Industrial District (Pennington County)
East:	General Commercial District - Light Industrial District (Pennington County)
West:	General Commercial District (Pennington County)
PUBLIC UTILITIES	City sewer and water
DATE OF APPLICATION	7/9/2009
REVIEWED BY	Vicki L. Fisher / Ted Johnson

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RECOMMENDATION:

Staff recommends that the Variance to the Subdivision Regulations to reduce the pavement width from 12 feet to 11 feet per lane as per Chapter 16.16 of the Rapid City Municipal Code be **denied without prejudice.**

GENERAL COMMENTS:

**(Update, February 4, 2010. All revised and/or added text is shown in bold print.) This item was continued at the January 21, 2010 Planning Commission to allow the applicant to submit a Master Plan including the surrounding properties as per the City's adopted resolution. The applicant was put on notice that if the information was not submitted for review and approval by February 1, 2010, staff would recommend that this item be denied without prejudice at the February 18, 2010 Planning Commission meeting. As of this writing, the Master Plan has not been submitted for review and approval. As such, staff recommends that the Variance to the Subdivision Regulations be denied without prejudice.**

(Update, December 23, 2009. All revised and/or added text is shown in bold print.) This item is being continued to the February 18, 2010 Planning Commission meeting to be heard in conjunction with the associated Layout Plat. If the outstanding issues for the Layout Plat are not addressed by February 1, 2010, staff will recommend that this item be denied without prejudice at the February 18, 2010 Planning Commission meeting. Please note that no other part of this Staff Report has been changed.

(Update, December 23, 2009. All revised and/or added text is shown in bold print.) This item is being continued to the January 21, 2010 Planning Commission meeting to be heard in conjunction with the associated Layout Plat. Please note that no other part of this Staff Report has been changed.

(Update, November 25, 2009. All revised and/or added text is shown in bold print.) This item is being continued to the January 7, 2010 Planning Commission meeting to be heard in conjunction with the associated Layout Plat. Please note that no other part of this Staff Report has been changed.

(Update, November 6, 2009. All revised and/or added text is shown in bold print.) This item is being continued to the December 10, 2009 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been changed.

(Update, October 9, 2009. All revised and/or added text is shown in bold print.) This item was continued to the September 24, 2009 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been changed.

(Update, September 12, 2009. All revised and/or added text is shown in bold print.) This item was continued to the September 10, 2009 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been changed.

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(Update, August 31, 2009. All revised and/or added text is shown in bold print.) This item was continued at the August 27, 2009 Planning Commission meeting at the applicant's request. Please note that no other part of this Staff Report has been changed.

(Update, August 14, 2009. All revised and/or added text is shown in bold print.) This item was continued at the August 6, 2009 Planning Commission meeting at the applicant's request.

The applicant has submitted a Variance to the Subdivision Regulations (File #09SV015) to reduce the pavement width from 12 feet to 11 feet per lane along 5<sup>th</sup> Street. In addition, the applicant has submitted a Layout Plat (File #09PL040) to subdivide the property into five lots leaving a non-transferable balance.

On February 3, 2003, the City Council overruled a Planning Commission decision and approved a SDCL 11-6-19 Review (File #02SR013) to construct a portion of 5th Street in the section line highway located along the west lot line of the property. In particular, it was determined that the gravel road must be hard surfaced if the applicant constructs any additional storage units on the property. In addition, the road must be built to City Street Design Standards if the property is platted or if water and sewer are extended to within 600 feet of the intersection of Catron Boulevard and 5<sup>th</sup> Street. In 2004, water and sewer were extended to the intersection of Catron Boulevard and 5<sup>th</sup> Street, adjacent to the northwest corner of the property. However, to date, the road has not been constructed in accordance with City Standards. The applicant is now proposing to plat the property which also requires that the street be constructed to City Street Design Standards.

The property is located in the southeast corner of the intersection of 5<sup>th</sup> Street and Catron Boulevard. A vehicle sales business with a small commercial building is located on proposed Lot 1. The balance of the property is void of any structural development.

**STAFF REVIEW:**

Staff has reviewed the Variance to the Subdivision Regulations and has noted the following considerations:

**Fifth Street:** Fifth Street is classified as a principal arterial street. The applicant is required to construct the street to collector street standards with a minimum of three 12 foot wide paved lanes. The applicant's responsibility beyond the collector street design standard may include additional lanes and deceleration/turn lanes if a Traffic Impact Study supports the improvement to accommodate traffic from the proposed development.

The Street Design Criteria Manual classifies an arterial street as "a street serving the highest traffic volume corridors and major centers of activity". Reducing the pavement width from 12 feet to 11 feet along this principal arterial street increases traffic hazards and reduces traffic safety. This is a new development on unplatted property. As such, there is no need to reduce lane widths or compromise vehicle and personal safety by reducing lane widths. In

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addition, a Traffic Impact Study has not been submitted for review and approval identifying the traffic volumes to be generated by the proposed development. As such, staff recommends that the Variance to the Subdivision Regulations to reduce the pavement width from 12 feet to 11 feet be denied.

Legal Notification Requirement: The receipts from the certified mailings have been returned. Staff has not received any calls or inquiries regarding this proposal.